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EXAMINER

ALBERTALLI, BRIAN LOUIS

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,043

Applicant(s)

BOEGELUND ET AL.

Examiner

Brian L. Albertalli

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-30 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 29 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 20-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 20-30 are drawn to a "program" *per se* as recited in the preamble and as such is non-statutory subject matter. See MPEP § 2106.IV.B.1.a. Data structures not claimed as embodied in computer readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure *per se* held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention, which permit the data structure's functionality to be realized. In contrast, a claimed computer readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory. Similarly, computer programs claimed as computer listings *per se*, i.e., the descriptions or expressions of the programs are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define

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any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized.

In this case, claims 20-30 are directed to "instructions" for performing various functions. While the preamble states the instructions are in a "computer program product in a computer readable medium", the claimed "instructions for..." amount to a mere listing of computer instructions, i.e. a computer program, *per se*, and the "computer readable medium" is defined on page 16 of the specification as being transmission media, such as communication links. This would be a non-tangible medium thereby not meeting the requirements of 35 U.S.C. 101. It is suggested that "computer readable medium" be changed to —computer storage medium— (see page 11, line 27 of the specification).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 10-23, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou (U.S. Patent 5,583,761), in view of Applicant's admitted prior art.

In regard to claims 1 and 20, Chou discloses a computer implemented method and instructions for translating text on a slide presentation from a first language to a second language comprising the steps of/instructions for:

creating a text file (Fig. 6, ORISTSRING.LST), the text file having a format that can enable text be translated from one language to a second language using conventional file translation techniques (column 8, lines 10-14 and lines 53-55);

inserting text from an original application presentation into the created text file (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50);

translating the text inserted into the text file from a first language to a second language (column 8, lines 14-16 and column 9, lines 7-10); and

writing the translated text onto the original application presentation, in the location of the original text that was translated, using information contained in the original application presentation (the TARSTRING.LST file contains the position information of the original text for displaying the translated text in the same position, column 9, lines 13-14 and column 10, lines 8-14).

Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

Chou does not disclose that the application is a "presentation program" (such as PowerPoint TM) for presenting "presentation slides".

The Applicant's admitted prior art discloses presentation programs are in wide use and provide a specially designed, user friendly pallet of tools to assist in the creation of presentation slides to be subsequently displayed to an audience, and further allow the slides to be sequentially presented to an audience, point-by-point and slide-by-slide, with color, animation, audio, and transition effects that enrich and enliven the presentation (Specification, page 1, lines 19-27).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 2, Chou discloses said addressing information related to the configuration of the objects contained in the original application presentation is inserted into the created text file, at a location transparent to a user (Fig. 8C, the location coordinates of the original text is inserted in the ORISTSRING.LST file, column 10, lines 3-5).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the

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method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 3 and 21, Chou discloses, before said file creation step/instructions, the steps of/instructions for:

obtaining the original application presentation for which translation is desired (Fig. 6, Application Screen, column 7, line 65 to column 8, line 1);

obtaining the translation language for the application presentation (the language is designated during the application selection step, column 7, line 65 to column 8, line 1); and

retrieving the text to be translated from the original application presentation (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 4 and 22, Chou discloses said text retrieving step/instructions comprises reading the text from the original application presentation (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 5 and 23, Chou discloses copying text from the original application presentation (text is copied into the ORISTRING.LST file, column 8, lines 4-14, lines 35-38, and lines 48-50).

In regard to claim 6, Chou discloses the addressing information is extracted from the original application presentation (column 9, lines 1-3 and column 10, lines 8-14).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation

program”, where the application presentation was a “presentation slide”, in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 10 and 27, Chou discloses said translated application presentation writing step/instructions comprises:

creating a copy of an original application presentation (the screen is captured to the SCREEN.CAP file, column 8, lines 7-9, lines 35-38, and line 45);

retrieving the translated text information from the new text file (Fig. 6, poster 65, information in TARSTRING.LST, column 9, lines 36-40 and lines 49-50);

retrieving other presentation information from the original application presentation (original presentation coordinates extracted from the original application presentation are retrieved, column 10, lines 10-14); and

inserting the translated text information and the other application presentation information onto the created copy of the original application presentation such that the inserted information appears in the copy of the application presentation original in the same configuration as in the original application presentation (column 10, lines 10-14).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a “presentation slide”, it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a “presentation program”, where the application presentation was a “presentation slide”, in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 11 and 28, Chou discloses said insertion step/instructions comprises inserting and positioning said translated text and other original presentation information in the copy of the original application presentation according to the addressing information for the original application presentation (the position coordinates of the original text are used to position the translated text, column 10, lines 3-14). Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 12, Chou discloses the addressing information contained in the text file is not translated from the first language to the second language (see Fig. 8C and 8D, position coordinates are not translated).

In regard to claim 13, Chou discloses:

creating a specific identification for the new translated application presentation (translated screens are each captured and stored in separate files, which must necessarily have a specific identification, e.g. a filename, column 4, lines 32-37);

attaching a link from the new translated application presentation to the original application presentation (the original and translated images are associated with the given application, column 4, lines 35-37); and

storing the translated application presentation in a translated slide database for the second language (as files, column 4, lines 32-37). Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 14, Chou discloses before said new text file creation step, the step of examining links of an original application presentation to determine if a translated application presentation for the particular language currently exists and

retrieving an existing translated application presentation (when a particular screen display request is received, the image is retrieved from the structured storage area if the correct translated slide exists, column 7, lines 5-14).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 15, Chou discloses a computer implemented method for translating text on an application presentation from a first language to a second language comprising the steps of:

creating a copy of an original application presentation (the screen is captured to the SCREEN.CAP file, column 8, lines 7-9, lines 35-38, and line 45);

creating a text file, the text file having a format that can enable text be translated from one language to a second language using conventional file translation techniques (ORISTRING.LST, column 8, lines 10-14 and lines 53-55);

inserting text from the copy of an original application presentation into the created text file (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50);

translating the text inserted into the text file from a first language to a second language (column 8, lines 14-16 and column 9, lines 7-10); and

writing the translated text onto the created copy of the original application presentation, in the location of the original text that was translated, using information contained in the original application presentation (the TARSTRING.LST file contains the position information of the original text for displaying the translated text in the same position, column 9, lines 13-14 and column 10, lines 8-14).

Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

Chou does not disclose that the application is a "presentation program" (such as PowerPoint TM) for presenting "presentation slides".

The Applicant's admitted prior art discloses presentation programs are in wide use and provide a specially designed, user friendly pallet of tools to assist in the creation of presentation slides to be subsequently displayed to an audience, and further allow the slides to be sequentially presented to an audience, point-by-point and slide-by-slide, with color, animation, audio, and transition effects that enrich and enliven the presentation (Specification, page 1, lines 19-27).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program

(Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 16, Chou discloses, before said file creation step, the steps of:
obtaining the original application presentation for which translation is desired
(Fig. 6, Application Screen, column 7, line 65 to column 8, line 1);

obtaining the translation language for the application presentation (the language is designated during the application selection step, column 7, line 65 to column 8, line 1); and

retrieving the text to be translated from the original application presentation
(screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 17, Chou discloses said translated application presentation writing step comprises:

retrieving the translated text information from the new text file (Fig. 6, poster 65, information in TARSTRING.LST, column 9, lines 36-40 and lines 49-50);

inserting the translated text information and the other application presentation information onto the created copy of the original application presentation such that the inserted information appears in the copy of the application presentation original in the same configuration as in the original application presentation (column 10, lines 10-14).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 18 and 29, Chou discloses steps/instructions for:

creating a specific identification for the new translated application presentation (translated screens are each captured and stored in separate files, which must necessarily have a specific identification, e.g. a filename, column 4, lines 32-37);

attaching a link from the new translated application presentation to the original application presentation (the original and translated images are associated with the given application, column 4, lines 35-37); and

storing the translated application presentation in a translated slide database for the second language (as files, column 4, lines 32-37). Chou further discloses that this

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method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 19 and 30, Chou discloses before said new text file creation step/instructions, the step/instructions for examining links of an original application presentation to determine if a translated application presentation for the particular language currently exists and retrieving an existing translated application presentation (when a particular screen display request is received, the image is retrieved from the structured storage area if the correct translated slide exists, column 7, lines 5-14).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the

application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

5. Claims 7-9 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou, in view of Applicant's admitted prior art, and further in view of Rosenbaum (U.S. Patent 5,404,435).

In regard to claims 7 and 24, while the combination of Chou and Applicant's admitted prior art disclose searching presentation slides for text and exporting the found text object's addressing information, Chou and Applicant's admitted prior art do not disclose the steps of/instructions for:

- searching the slide presentation for objects;
- determining whether a found object is a text object; and
- exporting the text from the found text.

Rosenbaum disclose a method and instructions (Fig. 3) for extracting text from documents that contain text and non-text objects such as image objects, voice objects, video objects, and animation objects, comprising:

- searching the document for objects (step 306, text object archiving routine, locate text object, step 1208, column 15, lines 57-58);

- determining whether a found object is a text object (step 1208 locates only text objects, so a decision whether a given object is a text object must necessarily be made, column 15, lines 57-58); and

exporting the text from the found text object (text from the found text object is extracted, column 15, line 64).

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify the combination of Chou and Applicant's admitted prior art to search through the presentation slide for text objects and extract the text, so that relevant text would automatically be extracted from the presentation slide without the need for further user input.

Further with regard to claims 8, 9, 24, and 25, Rosenbaum discloses every text object in the document is found to extract text information from the text object (see step 1232, process repeats until no more text objects are found in the document, column 16, lines 19-20).

Therefore, the method/instructions disclosed by Rosenbaum would necessarily:
determine whether the found object is a group;
search each sub-object in a determined group for text;
export the text from each sub-object found in the group; and
repeat said searching and exporting steps for each sub-object determined to be in the determined group;

and would additionally continue to search until the lowest level object on the slide was detected.

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify the combination of Chou and Applicant's admitted prior art to search every single text object in a presentation slide, by searching through subgroups

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and continuing until the lowest level object in the slide was detected, so that all of the textual information in the presentation slide would be translated into the desired language.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Malcom (U.S. Patent 5,416,903) disclose methods for translating user interfaces. Matheny (U.S. Patent 5,551,055) disclose a method for translations that keeps positioning intact. Barnes et al. (U.S. Patent 5,974,372) disclose a method for translating GUI's. Breinberg (U.S. Patent Application Publication 2003/0025737) disclose a method for automatically repositioning windows increase readability after a translation.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BLA 9/13/05



W. R. YOUNG
PRIMARY EXAMINER